



Summary of Rule Changes for Centers Effective 2012

10A NCAC 09 .0102– DEFINITIONS

Note: The following definitions have been added to the North Carolina Child Care Requirements:

- “Curriculum” is defined in 10A NCAC 09 .0102(7) as a curriculum that has been approved by the NC Child Care Commission and is comprehensive, evidence-based and with a reading component.
- “Experience working with school-aged children” is defined in 10A NCAC 09 .0102(12) as working with school-age children as an administrator, program coordinator, group leader, assistant group leader, lead teacher, teacher or aide.
- “North Carolina Early Educator Certification (certification)” is defined in 10A NCAC 09 .0102(22) as an acknowledgement of an individual’s level of educational achievement based on one of two standardized scales pertinent to the ages of children the individual is serving:
 - Early Care and Education Professional Scale (ECE scale) for birth to 5 years old
 - School-Age Professional Scale (SA scale) for 5 to 12 years old
- Each rating scale definition was revised to reflect the change in the cost of the scales From \$19.95 to \$21.95 [10A NCAC 09 .0102(11, 13, 19, 30)].

10A NCAC 09 .0604(e) – GENERAL SAFETY REQUIREMENTS

Note: This rule was added to protect children from burns and other injuries. The rule requires that all electrical appliances shall be used only in accordance with the manufacturer’s instructions. Additionally, appliances with heating elements (such as bottle warmers, crock pots, irons, coffee pots, or curling irons) shall be inaccessible to preschool-age children. Appliances can not be stored on the counter top if a child is able to reach the appliance or cord, even if unplugged or cord coiled. Appliances can be located less than 5 feet off the floor as long as they are out of the children’s reach. This rule does not apply to school-age children.

10A NCAC 09 .0714(f) (1-5) and (g) – OTHER STAFFING REQUIREMENTS

Note: The new language no longer requires children to be seen and heard at all times. The new language requires staff to hear or see children at all times in order to permit individuals with hearing and visual impairments to be counted in ratio. Additional stipulations outlining adequate supervision in Child Care Rule 10A NCAC 09 .0714(f) were added as follows:

- (1) Staff must be positioned in the indoor and outdoor environment to maximize their ability to hear or see the children at all times and render immediate assistance.
- (2) Staff must interact with the children while moving about the indoor or outdoor area.
- (3) Staff must know where each child is located and be aware of children’s activities at all times.
- (4) Staff must provide supervision appropriate to the individual age, needs and capabilities of each child.
- (5) All of the conditions in this Paragraph shall apply except when emergencies necessitate that direct supervision is impossible for brief periods of time. Documentation of emergencies shall be maintained and available for review by Division representatives upon request.

An emergency is defined as an unexpected, sudden, and urgent event that involves the need/s of a child or children in care that must be dealt with immediately. Nothing contained in this Rule shall be construed to prevent a qualified person with a disability from working in a licensed child care facility.

10A NCAC 09 .1501 - .1504, .1506 – TEMPORARY CARE REQUIREMENTS

Note: The temporary care requirements were repealed since drop-in child care arrangements are not licensed or monitored. Licensed programs offering drop-in care are expected to meet all the applicable child care requirements.



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Division of Child Development and Early Education

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Albert A. Delia, Acting Secretary

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10A NCAC 09 .2802(d) – APPLICATION FOR A VOLUNTARY RATED LICENSE

Note: This rule was added to Section .2800 on Voluntary Rated Licenses. The rule requires that all four- and five-star programs serving four-year-old children use an approved curriculum in classrooms for four-year-old children and in mixed-age-group classrooms with four-year-old children. Classrooms intended for three-year-old children are not required to use an approved curriculum as children turn four throughout the year.

10A NCAC 09 .2819 – .2823 - EDUCATION STANDARDS FOR A RATED LICENSE FOR CHILD CARE CENTERS

10A NCAC 09 .2824 - .2826 – EDUCATION STANDARDS FOR A RATED LICENSE FOR CENTERS THAT PROVIDE CARE ONLY TO SCHOOL-AGED CHILDREN

Note: North Carolina Early Educator Certification is now an option for programs and individuals to document meeting the education requirements of the Rated License for various staff positions in early childhood programs, including school-age care. Additionally, equivalencies for BSAC training are now accepted for specific Rated License requirements.

The rules were restructured to provide requirements per point level for separate positions within a licensed child care program. Below is a summary of changes related to each position.

Administrators - .2819 and Administrators (School-age Care Only)- .2824

- BSAC equivalent is accepted for on-site administrators in child care centers offering care for school-aged children. There were no changes to the requirements for administrators in centers that provide care only to school-age children.

Lead Teachers - .2820

- At the two through seven point levels, Early Educator Certification on the ECE Scale is added as an option.
- At the three through seven point levels, a combination of education, certification on the ECE scale, and experience is added as an option
- At the five point level, 75% of lead teachers have an option to now either have completed or be currently enrolled in three additional semester hours in early childhood education (previously the only option was to be enrolled).

Teachers - .2821

- At the two through three point levels, a combination of education and experience is added as an option.
- At the three point level, completion of the North Carolina Early Childhood Credential or its equivalent was removed as an option. However, a combination of education and experience is added as an option.
- At the four through seven point levels, a combination of education, certification on the ECE scale, and experience is added as an option.

Program Coordinators - .2822 and Program Coordinators (School-age Care Only) - .2825

- At the two point level, the program coordinator is required to be enrolled in three additional semester hours of school-age related coursework (previous requirement stated “have completed or be enrolled” in three additional semester hours of school-age related coursework).
- At the three through seven point levels, Early Educator Certification on the SA Scale is added as an option. At the four and seven point levels, the certification on the SA scale is paired with verifiable experience working with school-age children.

Group Leaders and Assistant Group Leaders - .2823 and Group Leaders and Assistant Group Leaders (School-age Care Only) - .2826

- At the three point level, 25% of group leaders shall be enrolled in or have completed two semester hours of school-age care related coursework. The option for 25% of group leaders to use hours of verifiable experience working with school-aged children was removed.
- At the four through seven point level, a combination of education/experience is added as an option.



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10A NCAC 09 .2829(2)(a) – QUALITY POINT OPTIONS

Note: Four- and five-star programs with four-year-old and mixed-age-group classrooms may not use an approved curriculum as an option for earning the Quality Point in the Rated License.

10A NCAC 09 .2830 – MAINTAINING THE STAR RATING

Note: The rule reference changed from 10A NCAC 09 .2823 to 10A NCAC 09 .2830. The content of the rule did not change.

10A NCAC 09 .2831 – HOW AN OPERATOR MAY REQUEST OR APPEAL A CHANGE IN RATING

Note: The rule reference changed from 10A NCAC 09 .2824 to 10A NCAC 09 .2831. The content of the rule did not change.

10A NCAC 09 .2904(c) – PROGRAM REQUIREMENTS (DEVELOPMENTAL DAY SERVICES)

Note: The rule was amended from requiring programs to have 75% of their classrooms with 50% typically developing children to only requiring a description of how children with special needs have opportunities for inclusion with children who are typically developing. This description may be in a format of the facility's choice, but must meet the requirement as set forth in this rule.



Summary of Rule Changes for Family Child Care Homes Effective 2012

10A NCAC 09 .0102– DEFINITIONS

Note: The following definitions have been added to the North Carolina Child Care Requirements:

- “Curriculum” is defined in 10A NCAC 09 .0102(7) as a curriculum that has been approved by the NC Child Care Commission and is comprehensive, evidence-based and with a reading component.
- “Experience working with school-aged children” is defined in 10A NCAC 09 .0102(12) as working with school-age children as an administrator, program coordinator, group leader, assistant group leader, lead teacher, teacher or aide.
- “North Carolina Early Educator Certification (certification)” is defined in 10A NCAC 09 .0102(22) as an acknowledgement of an individual’s level of educational achievement based on one of two standardized scales pertinent to the ages of children the individual is serving:
 - Early Care and Education Professional Scale (ECE scale) for birth to 5 years old
 - School-Age Professional Scale (SA scale) for 5 to 12 years old
- The definition for the “Family Child Care Environment Rating Scale” in rule 10A NCAC 09.0102 (11) was revised to reflect the change in cost from \$19.95 to \$21.95.

10A NCAC 09 .1719 – REQUIREMENTS FOR A SAFE INDOOR/OUTDOOR ENVIRONMENT

Note: Two rules were added as follows:

- 10A NCAC 09 .1719(a) (6) was added to protect children from burns and other injuries. Appliances with heating elements, such as, bottle warmers, crock pots, irons, coffee pots, or curling irons shall be inaccessible to preschool-age children. Appliances can not be stored on the counter top, if a child is able to reach the appliance or cord, even if unplugged or cord coiled. Appliances can be located less than 5 feet off the floor as long as they are out of the children’s reach. This rule does not apply to school-age children.
- Note: 10A NCAC 09 .1719(b) was added to ensure that parents are made aware of any animals that their child may have access to while in care in a family child care home. Effective May 1, 2012, prior to enrollment in a family child care home, and before new animals that will be in the home come into the family child care home, a parent of each child must sign a form acknowledging the type of animal and where the animal will be during operating hours. The documentation must remain in each child’s file. Parents of children enrolled in the family child care home prior to May 1, 2012 are not required to sign this form.

10A NCAC 09 .2802(d) – APPLICATION FOR A VOLUNTARY RATED LICENSE

Note: This rule was added to Section .2800 on Voluntary Rated Licenses. The rule requires that all four- and five-star programs serving four-year-old children use an approved curriculum in classrooms for four-year-old children and in mixed-age-group classrooms with four-year-old children. Classrooms intended for three-year-old children are not required to use an approved curriculum as children turn four throughout the year.

10A NCAC 09 .2827 – EDUCATION STANDARDS FOR OPERATORS FOR A RATED LICENSE FOR FAMILY CHILD CARE HOMES

Note: North Carolina Early Educator Certification is now an option for programs and individuals to document meeting the education requirements of the Rated License for family child care homes. Below is a summary of the changes per point level.

- At the two point level, completion of the North Carolina Family Child Care Credential or its equivalent was removed as an option.
- At the three point level, Level I or higher certification on the ECE scale is added as an option.
- At the four point level, certification on the ECE scale is added as an option either:
 - At a Level II or higher, or
 - At a Level I or higher in combination with specified education.



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- At the five point level, certification on the ECE scale is added as an option either:
 - At a Level IV in combination with one year of verifiable early childhood work experience, or
 - At a Level I or higher in combination with specified education and verifiable early childhood work experience or specific coursework.
- At the six point level, certification on the ECE scale is added as an option either:
 - At a Level VI in combination with one year of verifiable early childhood work experience, or
 - At a Level I or higher in combination with specified education and verifiable early childhood work experience or specific coursework.
- At the seven point level, Level VI certification on the ECE scale is added as an option in combination with two years of experience.

10A NCAC 09 .2829(2) (a) – QUALITY POINT OPTIONS

Note: Four- and five-star programs with four-year-old and mixed-age-group classrooms may not use an approved curriculum as an option for earning the Quality Point in the Rated License.

10A NCAC 09 .2830 – MAINTAINING THE STAR RATING

Note: The rule reference changed from 10A NCAC 09 .2823 to 10A NCAC 09 .2830. The content of the rule did not change.

10A NCAC 09 .2831 – HOW AN OPERATOR MAY REQUEST OR APPEAL A CHANGE IN RATING

Note: The rule reference changed from 10A NCAC 09 .2824 to 10A NCAC 09 .2831. The content of the rule did not change.

10A NCAC 09 .0102 DEFINITIONS

The terms and phrases used in this Chapter are defined as follows except when the context of the rule requires a different meaning. The definitions prescribed in G.S. 110-86 also apply to these Rules.

- (1) "Agency" as used in Section .2200 of this Chapter, means Division of Child Development and Early Education, Department of Health and Human Services located at 319 Chapanoke Road, Suite 120, Raleigh, North Carolina 27603.
- (2) "Appellant" means the person or persons who request a contested case hearing.
- (3) "Basic School-Age Care" training (BSAC training) means the training on the elements of quality afterschool care for school-age children, developed by the North Carolina State University Department of 4-H Youth Development and subsequently revised by the North Carolina School-age Quality Improvement Project. Other training shall be approved as equivalent if the Division determines that the content of the training offered is substantially equivalent to the BSAC training.
- (4) "Child Care Program" means a single center or home, or a group of centers or homes or both, that are operated by one owner or supervised by a common entity.
- (5) "Child care provider" as defined by G.S. 110-90.2 (a) (2) a. and used in Section .2700 of this Chapter, includes the following employees who have contact with the children in a child care program:
 - (a) facility directors,
 - (b) administrative staff,
 - (c) teachers,
 - (d) teachers' aides,
 - (e) cooks,
 - (f) maintenance personnel, and
 - (g) drivers.
- (6) "Child Development Associate Credential" means the national early childhood credential administered by the Council for Early Childhood Professional Recognition.
- (7) "Curriculum" means a curriculum that has been approved by the NC Child Care Commission as comprehensive, evidence-based and with a reading component.
- (8) "Developmentally appropriate" means suitable to the chronological age range and developmental characteristics of a specific group of children.
- (9) "Division" means the Division of Child Development and Early Education within the Department of Health and Human Services.
- (10) "Drop-in care" means a child care arrangement where children attend on an intermittent, unscheduled basis.
- (11) "Early Childhood Environment Rating Scale - Revised Edition" (Harms, Clifford, and Cryer, 2005, published by Teachers College Press, New York, NY) is the instrument used to evaluate the quality of care received by a group of children in a child care center, when the majority of children in the group are two and a half years old through five years old, to achieve three or more points for the program standards of a rated license. This instrument is incorporated by reference and includes subsequent editions. Individuals wishing to purchase a copy may call Teachers College Press at 1-800-575-6566. The cost of this scale in June 2012 is twenty-one dollars and ninety-five cents (\$21.95). A copy of this instrument is on file at the Division at the address given in Item (1) of this Rule and is available for public inspection during regular business hours.
- (12) "Experience working with school-aged children" means working with school-age children as an administrator, program coordinator, group leader, assistant group leader, lead teacher, teacher or aide.
- (13) "Family Child Care Environment Rating Scale – Revised Edition" (Harms, Cryer and Clifford, 2007, published by Teachers College Press, New York, NY) is the instrument used to evaluate the quality of care received by children in family child care homes to

achieve three or more points for the program standards of a rated license. This instrument is incorporated by reference and includes subsequent editions. Individuals wishing to purchase a copy may call Teachers College Press at 1-800-575-6566. The cost of this scale in June 2012 is twenty-one dollars and ninety-five cents (\$21.95). A copy of this instrument is on file at the Division at the address given in Item (1) of this Rule and is available for public inspection during regular business hours.

- (14) "First aid kit" is a collection of first aid supplies (such as bandages, tweezers, disposable nonporous gloves, micro shield or face mask, liquid soap, cold pack) for treatment of minor injuries or stabilization of major injuries.
- (15) "Group" means the children assigned to a specific caregiver or caregivers, to meet the staff/child ratios set forth in G.S. 110-91(7) and this Chapter, using space which is identifiable for each group.
- (16) "Health care professional" means:
 - (a) a physician licensed in North Carolina;
 - (b) a nurse practitioner approved to practice in North Carolina; or
 - (c) a licensed physician assistant.
- (17) "Household member" means a person who resides in a family home as evidenced by factors including maintaining clothing and personal effects at the household address, receiving mail at the household address, using identification with the household address, or eating and sleeping at the household address on a regular basis.
- (18) "If weather conditions permit" means:
 - (a) temperatures that fall within the guidelines developed by the Iowa Department of Public Health and specified on the Child Care Weather Watch chart. These guidelines shall be used when determining appropriate weather conditions for taking children outside for outdoor learning activities and playtime. This chart may be downloaded free of charge from <http://www.idph.state.ia.us/hcci/common/pdf/weatherwatch.pdf>, and is incorporated by reference and includes subsequent editions and amendments;
 - (b) following the air quality standards as set out in 15A NCAC 18A .2832(d). The Air Quality Color Guide can be found on the Division's web site at <http://xapps.enr.state.nc.us/aq/ForecastCenter> or call 1-888-RU4NCAIR (1-888-784-6224); and
 - (c) no active precipitation. Caregivers may choose to go outdoors when there is active precipitation if children have appropriate clothing such as rain boots and rain coats, or if they are under a covered area.
- (19) "Infant/Toddler Environment Rating Scale - Revised Edition" (Harms, Cryer, and Clifford, 2003, published by Teachers College Press, New York, NY) is the instrument used to evaluate the quality of care received by a group of children in a child care center, when the majority of children in the group are younger than thirty months old, to achieve three or more points for the program standards of a rated license. This instrument is incorporated by reference and includes subsequent editions. Individuals wishing to purchase a copy may call Teachers College Press at 1-800-575-6566. The cost of this scale in June 2012 is twenty-one dollars and ninety-five cents (\$21.95). A copy of this instrument is on file at the Division at the address given in Item (1) of this Rule and is available for public inspection during regular business hours.
- (20) "ITS-SIDS Training" means the Infant/Toddler Safe Sleep and SIDS Risk Reduction Training developed by the NC Healthy Start Foundation for the Division of Child Development and Early Education for caregivers of children ages 12 months and younger.
- (21) "Licensee" means the person or entity that is granted permission by the State of North Carolina to operate a child care facility. The owner of a facility is the licensee.

- (22) "North Carolina Early Educator Certification (certification)" is an acknowledgement of an individual's verified level of educational achievement based on a standardized scale. The North Carolina Institute for Child Development Professionals certifies individuals and assigns a certification level on two scales:
- (a) the Early Care and Education Professional Scale (ECE Scale) in effect as of July 1, 2010; or
 - (b) the School Age Professional Scale (SA Scale) in effect as of May 19, 2010.
- Each scale reflects the amount of education earned in the content area pertinent to the ages of children served. The ECE Scale is designed for individuals working with or on behalf of children ages birth to five. The SA Scale is designed for individuals working with or on behalf of children ages 5 to 12 who are served in school age care settings.
- (23) "North Carolina Early Childhood Credential" means the state early childhood credential that is based on completion of required early childhood coursework taken at any NC Community College. Other post secondary curriculum coursework shall be approved as equivalent if the Division determines that the content of the other post secondary curriculum coursework offered is substantially equivalent to the NC Early Childhood Credential Coursework. A copy of the North Carolina Early Childhood Credential requirements is on file at the Division at the address given in Item (1) of this Rule and is available for public inspection or copying at no charge during regular business hours.
- (24) "Owner" means any person with a five percent or greater equity interest in a child care facility, however stockholders of corporations who own child care facilities are not subject to mandatory criminal history checks pursuant to G.S. 110-90.2 and G.S. 110-91(8) unless they are a child care provider.
- (25) "Parent" means a child's parent, legal guardian, or full-time custodian.
- (26) "Part-time care" means a child care arrangement where children attend on a regular schedule but less than a full-time basis.
- (27) "Passageway" means a hall or corridor.
- (28) "Person" means any individual, trust, estate, partnership, corporation, joint stock company, consortium, or any other group, entity, organization, or association.
- (29) "Preschooler" or "preschool-age child" means any child who does not fit the definition of school-age child in this Rule.
- (30) "School-Age Care Environment Rating Scale" (Harms, Jacobs, and White, 1996, published by Teachers College Press) is the instrument used to evaluate the quality of care received by a group of children in a child care center, when the majority of the children in the group are older than five years, to achieve three or more points for the program standards of a rated license. This instrument is incorporated by reference and includes subsequent editions. Individuals wishing to purchase a copy may call Teachers College Press at 1-800-575-6566. The cost of this scale in June 2012 is twenty-one dollars and ninety-five cents (\$21.95). A copy of this instrument is on file at the Division at the address given in Item (1) of this Rule and is available for public inspection during regular business hours.
- (31) "School-age child" means any child who is attending or who has attended, a public or private grade school or kindergarten and meets age requirements as specified in G.S. 115C-364.
- (32) "Seasonal Program" means a recreational program as set forth in G.S. 110-86(2)(b).
- (33) "Section" means Division of Child Development and Early Education.
- (34) "Substitute" means any person who assumes the duties of a staff person for a time period not to exceed two consecutive months.
- (35) "Track-Out Program" means any child care provided to school-age children when they are out of school on a year-round school calendar.

- (36) "Volunteer" means a person who works in a child care facility and is not monetarily compensated by the facility.

*History Note: Authority G.S. 110-85; 110-88; 143B-168.3;
Eff. January 1, 1986;
Amended Eff. April 1, 1992; October 1, 1991; October 1, 1990; November 1, 1989;
Temporary Amendment Eff. January 1, 1996;
Amended Eff. September 1, 2012; July 3, 2012; July 1, 2012; November 1, 2007; May 1,
2006; May 1, 2004; April 1, 2003; July 1, 2000; April 1, 1999; July 1, 1998; April 1,
1997.*

10A NCAC 09 .0604 GENERAL SAFETY REQUIREMENTS

- (a) In child care centers, potentially hazardous items, such as archery equipment, hand and power tools, nails, chemicals, propane stoves, lawn mowers, and gasoline or kerosene, whether or not intended for use by children, shall be stored in locked areas or with other safeguards, or shall be removed from the premises.
- (b) Firearms and ammunition are prohibited in a licensed child care program unless carried by a law enforcement officer.
- (c) Electrical outlets not in use which are located in space used by the children shall be covered with safety plugs unless located behind furniture or equipment that cannot be moved by a child.
- (d) Electric fans shall be mounted out of the reach of children or shall be fitted with a mesh guard to prevent access by children.
- (e) All electrical appliances shall be used only in accordance with the manufacturer's instructions. For appliances with heating elements, such as bottle warmers, crock pots, irons, coffee pots, or curling irons, neither the appliance nor the cord, if applicable, shall be accessible to preschool-age children.
- (f) Electrical cords shall not be accessible to infants and toddlers. Extension cords, except as approved by the local fire inspector, shall not be used. Frayed or cracked electrical cords shall be replaced.
- (g) All materials used for starting fires, such as matches and lighters, shall be kept in locked storage or shall be stored out of the reach of children.
- (h) Smoking is not permitted in space used by children when children are present. All smoking materials shall be kept in locked storage or out of the reach of children.
- (i) Fuel burning heaters, fireplaces and floor furnaces shall be provided with a protective screen attached securely to supports to prevent access by children and to prevent objects from being thrown into them.
- (j) Plants that are toxic shall not be in indoor or outdoor space that is used by or is accessible to children.
- (k) Air conditioning units shall be located so that they are not accessible to children or shall be fitted with a mesh guard to prevent objects from being thrown into them.
- (l) Gas tanks shall be located so they are not accessible to the children or shall be in a protective enclosure or surrounded by a protective guard.
- (m) Cribs and playpens shall be placed so that the children occupying them shall not have access to cords or ropes, such as venetian blind cords.
- (n) Once a day, prior to initial use, the indoor and outdoor premises shall be checked for debris, vandalism, and broken equipment. Debris shall be removed and disposed.
- (o) Plastic bags, toys, and toy parts small enough to be swallowed, and materials that can be easily torn apart such as foam rubber and styrofoam, shall not be accessible to children under three years of age, except that styrofoam plates and larger pieces of foam rubber may be used for supervised art activities and styrofoam plates may be used for food service. Latex and rubber balloons shall not be accessible to children under five years of age.
- (p) When non-ambulatory children are in care, a crib or other device shall be available for evacuation in case of fire or other emergency. The crib or other device shall be fitted with wheels in order to be easily moveable, have a reinforced bottom, and shall be able to fit through the designated fire exit. For centers that do not meet institutional building code, and the exit is more than eight inches above grade, the center shall develop a plan to ensure a safe and timely evacuation of the crib or other device. This plan shall be demonstrated to a Division representative for review and approval. During the monthly fire drills required by Rule 10A NCAC 09 .0302(d)(4), the evacuation crib or other device shall be used in the manner described in the evacuation plan.
- (q) A first aid kit must always be available on site.

*History Note: Authority G.S. 110-85; 110-91(3),(6); 143B-168.3;
Eff. January 1, 1991;
Amended Eff. January 1, 1996; November 1, 1991;
Temporary Amendment Eff. October 1, 1997;*

Amended Eff. February 1, 2012; July 1, 2010; December 1, 2007; April 1, 2001; July 1, 1998.

10A NCAC 09 .0714 OTHER STAFFING REQUIREMENTS

(a) Each child care center shall have an administrator on site on a regular basis. The administrator shall be responsible for monitoring the program and overseeing administrative duties of the center. This requirement may be met by having one or more persons on site who meet the requirements for an administrator according to the licensed capacity of the center. The following hourly requirements are based on an administrator's normal working schedule and may include times when the administrator may be off site due to administrative duties, illness, or vacation.

- (1) Each center with a licensed capacity of less than 30 children shall have an administrator on site for at least 20 hours per week.
- (2) Each center with a licensed capacity of 30 to 79 children shall have an administrator on site for at least 25 hours per week.
- (3) Each center with a licensed capacity of 80 to 199 children shall have an administrator on site for at least 30 hours per week.
- (4) Each center with a licensed capacity of 200 or more children shall have an administrator on site for at least 40 hours per week.

(b) At least one person who meets the requirements for an administrator or lead teacher as set forth in this Section shall be on site during the center's operating hours except that a person who is at least 18 years old with at least a high school diploma or its equivalent and who has a minimum of one year's experience working with children in a child care center may be on duty at the beginning or end of the operating day provided that:

- (1) No more than 10 children are present.
- (2) The staff person has worked in that center for at least three months.
- (3) The staff person knows and can apply the center's operating policies and emergency procedures.

(c) At least one person who meets the requirements for a lead teacher shall be responsible for each group of children as defined in Rule .0102 of this Chapter except as provided in Paragraph (b) of this Rule. This requirement may be met by having one or more persons who meet the requirements for a lead teacher responsible for the same group of children. Each lead teacher shall be responsible for only one group of children at a time. Each group of children shall have a lead teacher in attendance for at least two-thirds of the total daily hours of operation, based on a normal working schedule and may include times when the lead teacher may not be in attendance due to circumstances such as illness or vacation.

(d) A teacher is a person who is responsible to the lead teacher and assists with planning and implementing the daily program.

(e) No aide or aides shall have responsibility for a group of children except as provided in Paragraph (b) of this Rule.

(f) Children shall be adequately supervised at all times. Adequate supervision shall mean that:

- (1) Staff must be positioned in the indoor and outdoor environment to maximize their ability to hear or see the children at all times and render immediate assistance;
- (2) Staff must interact with the children while moving about the indoor or outdoor area;
- (3) Staff must know where each child is located and be aware of children's activities at all times;
- (4) Staff must provide supervision appropriate to the individual age, needs and capabilities of each child; and
- (5) All of the conditions in this Paragraph shall apply except when emergencies necessitate that direct supervision is impossible for brief periods of time. Documentation of emergencies shall be maintained and available for review by Division representatives upon request.

(g) Nothing contained in this Rule shall be construed to preclude a "qualified person with a disability," as defined by G.S. 168A-3(9), or a "qualified individual with a disability," as defined by the Americans With Disabilities Act at 42 U.S.C. §12111(8), from working in a licensed child care facility.

(h) For groups of children aged two years or older, the staff/child ratio during nap time is considered in compliance if at least one person is either in each room or is visually supervising all the children and if the total number of required staff are on the premises and within calling distance of the rooms occupied by children.

(i) When a child is sleeping, bedding or other objects shall not be placed in a manner that covers the child's face.

History Note: Authority G.S. 110-85(1); 110-91(7),(8); 143B-168.3;

Eff. July 1, 1988;

Amended Eff. July 1, 2012; May 1, 2004; July 1, 1998; January 1, 1996; October 1, 1991; November 1, 1989.

10A NCAC 09 .1501	SCOPE
10A NCAC 09 .1502	MEDICAL EXAMINATION
10A NCAC 09 .1503	BEDS, COTS, MATS AND LINENS
10A NCAC 09 .1504	ATTENDANCE RECORDS

*History Note: Authority G.S. 110-91; 143B-168.3;
 Eff. January 1, 1986;
 Amended Eff. November 1, 1989;
 Repealed Eff. July 1, 2012.*

10A NCAC 09 .1506 OUTDOOR PLAY AREA

*History Note: Authority G.S. 110-91; 143B-168.3;
 Eff. January 1, 1986;
 Amended Eff. November 1, 1989;
 Repealed Eff. July 1, 2012.*

10A NCAC 09 .1719 REQUIREMENTS FOR A SAFE INDOOR/OUTDOOR ENVIRONMENT

(a) The operator of a family child care home shall maintain a safe indoor and outdoor environment for the children in care. In addition, the operator shall:

- (1) keep all areas used by the children, indoors and outdoors, clean and orderly and free of items which are potentially hazardous to children. This includes the removal of items that a child can swallow. In addition, loose nails or screws and splinters shall be removed on inside and outside equipment;
- (2) safely store equipment and supplies such as lawnmowers, power tools, or nails, so they are inaccessible to children;
- (3) ensure that all stationary outdoor equipment is firmly anchored and is not installed over concrete or asphalt. Footings which anchor the equipment shall not be exposed;
- (4) securely mount electric fans out of the reach of children or have a mesh guard on each fan;
- (5) cover all electrical outlets not in use and remove old, cracked or frayed cords in occupied outlets;
- (6) ensure that, for appliances with heating elements, such as bottle warmers, crock pots, irons, coffee pots, or curling irons, neither the appliance nor the cord, if applicable, is accessible to preschool children;
- (7) have solid and safe indoor and outdoor stairs and steps if these are used by the children. Indoor and outdoor stairs with two or more steps which are used by the children shall be railed. Indoor stairs with more than two steps shall be made inaccessible to children in care who are two years old or younger;
- (8) maintain any swimming pools or wading pools on the premises in a manner that will safeguard the lives and health of the children. All swimming or wading pools used by children in care shall meet the "Rules Governing Public Swimming Pools," in accordance with 15A NCAC 18A .2500 which are hereby incorporated by reference including subsequent amendments. A copy of these Rules is on file at the Division at the address given in Rule .0102 of this Chapter or may be obtained at no cost by writing the North Carolina Division of Environmental Health, 1630 Mail Service Center, Raleigh, NC 26799-1630;
- (9) enclose any in-ground swimming pools by a fence at least four feet high to prevent chance access by children. The swimming pool shall be separate from the play area. Access to the water in above ground swimming pools shall be prevented by locking and securing the ladder in place or storing the ladder in a place inaccessible to the children; and
- (10) safely store all combustible materials that may create a fire hazard.

(b) Prior to enrollment of children in a family child care home, and before new animals that will be in the home come into the family child care home, a parent of each child must sign a form acknowledging the type of animal and where the animal will be during operating hours. This documentation shall be maintained in each child's file.

*History Note: Authority G.S. 110-85; 110-88; 110-91(3),(4),(5),(6);
Eff. July 1, 1998;
Amended Eff. May 1, 2012; April 1, 2001.*

10A NCAC 09 .2802 APPLICATION FOR A VOLUNTARY RATED LICENSE

(a) After a licensed child care center or home has been in operation for a minimum of six consecutive months, the procedures in this Rule apply to request an initial two- through five-star rated license or to request that a rating be changed to a two- through five-star rated license.

(b) The operator shall submit a completed application to the Division for a voluntary rated license on the form provided by the Division.

(c) An operator may apply for a star rating based on the total number of points achieved for each component of the voluntary rated license. In order to achieve a two- through five-star rating, for a two component license the minimum score achieved must be a least four points as follows:

TOTAL NUMBER OF POINTS	RATING
4 through 6	Two Stars
7 through 9	Three Stars
10 through 12	Four Stars
13 through 15	Five Stars

(d) Facilities with a four or five-star rated license that are licensed to serve four-year-old children must implement a curriculum as defined in 10A NCAC 09 .0102 with their four year olds. This requirement must be met in any licensed child care facility.

(e) A Division representative shall assess the facility requesting a voluntary rated license to determine if all applicable requirements have been met to achieve the score for the requested star rating. The assessment may include a review of Division records and site visits.

(f) The Division shall provide for Infant/Toddler Environment Rating Scale Revised Edition, Early Childhood Environment Rating Scale - Revised Edition, School-Age Care Environment Rating Scale, or Family Child Care Environment Rating Scale - Revised Edition assessments to be completed, as appropriate for the program, free of charge to operators requesting an initial three or more points for program standards.

(g) Upon completion of the Division's assessment:

- (1) If the assessment indicates all the applicable requirements to achieve the score for the requested rating have been met, the Division shall issue the rating.
- (2) If the assessment indicates all the applicable requirements to achieve the score for the requested rating are not met, the Division shall notify the operator of the requirements that were not met and the requested voluntary rating shall not be issued. The operator may:
 - (A) Accept the rating for which the Division has found the operator to be eligible;
 - (B) Withdraw the request and reapply when the identified requirements to achieve the score for the requested rating have been met; or
 - (C) Appeal the denial of the requested rating as provided in G.S. 110-94.

*History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s.10.7(b); Eff. April 1, 1999;
Amended Eff. September 1, 2012; July 1, 2010; May 1, 2006.*

**10A NCAC 09 .2819 EDUCATION STANDARDS FOR ON-SITE ADMINISTRATORS FOR A
RATED LICENSE FOR CHILD CARE CENTERS**

(a) This Rule applies to evaluating the education standards for an on-site administrator for child care centers. The points for education standards are determined by applying this Rule along with Rules .2820, .2821, .2822 and .2823 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained under each Rule shall be the point used to meet Rule .2802 of this Section.

(b) To achieve two points, the on-site administrator shall have:

- (1) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and
- (2) Two years of full-time verifiable early childhood work experience, or one year experience in child care administration; and
- (3) If providing school-age care, 150 hours of verifiable experience working with school-aged children in a licensed child care program; or 300 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or shall complete the BSAC Training or its equivalent. Completion of these requirements shall count toward meeting experience requirements in Subparagraph (2) of this Paragraph.

(c) To achieve three points, the on-site administrator shall have:

- (1) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and
- (2) Six semester hours in early childhood education or child development (not including North Carolina Early Childhood Administration Credential coursework); and either
 - (A) Two years of full-time verifiable early childhood work experience; or
 - (B) One year of experience in child care administration; and
- (3) If providing school-age care, 300 hours of verifiable experience working with school-aged children in a licensed child care program; or 450 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or shall have completed the BSAC Training or its equivalent. Completion of these requirements may count toward meeting experience requirements in Subparagraphs (2)(A) and (B) of this Paragraph.

(d) To achieve four points, the on-site administrator shall have:

- (1) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and either
 - (A) 18 semester hours in early childhood education or child development (not including North Carolina Early Childhood Administration Credential coursework) and one year of experience in child care administration; or
 - (B) Six semester hours in early childhood education or child development (not including North Carolina Early Childhood Administration Credential coursework), and 10 years of experience in child care administration; and
- (2) If providing school-age care, 450 hours of verifiable experience working with school-aged children in licensed child care program; or 600 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or shall have completed the BSAC Training or its equivalent. Completion of these requirements may count toward meeting experience requirements in Subparagraphs (1)(A) and (B) of this Paragraph.

(e) To achieve five points, the on-site administrator shall have:

- (1) A Level II North Carolina Early Childhood Administration Credential or its equivalent; and
- (2) Two years of full-time verifiable early childhood work experience; and

- (3) If providing school-age care, 600 hours of verifiable experience working with school-aged children in a licensed child care program; or 900 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or shall have completed the BSAC training or its equivalent. Completion of these requirements may count toward meeting experience requirements in Subparagraph (2) of this Paragraph.
- (f) To achieve six points, the on-site administrator shall have:
- (1) A Level II North Carolina Early Childhood Administration Credential or its equivalent; and
 - (2) 18 semester hours in early childhood education or child development (not including the North Carolina Early Childhood Administration Credential coursework or hours earned during the completion of the A.A.S degree); and either
 - (A) Three years of full-time verifiable work experience in an early childhood center teaching young children; or
 - (B) Three years of administrative experience; or
 - (C) Three years of a combination of both; and
 - (3) If providing school-age care, 750 hours of verifiable experience working with school-aged children in a licensed child care program; or 1150 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or shall have completed the BSAC training or its equivalent. Completion of these requirements may count toward meeting experience requirements in Subparagraphs (2)(A) and (B) of this Paragraph.
- (g) To achieve seven points, the on-site administrator shall:
- (1) Have a Level III North Carolina Early Childhood Administration Credential or its equivalent; and
 - (2) Either:
 - (A) Four years of full-time verifiable work experience in an early childhood center teaching young children; or
 - (B) Four years of administrative experience; or
 - (C) Four years of a combination of both; and
 - (3) If providing school-age care, 900 hours of verifiable experience performing administrative duties in a licensed child care program serving school-aged children; or 1350 hours of verifiable experience performing administrative duties in an unlicensed school-age care or camp setting; or shall have completed the BSAC Training or its equivalent. Completion of these requirements may count toward meeting experience requirements in Subparagraphs (2)(A), (B) and (C) of this Paragraph.
- (h) For centers with a licensed capacity of 3 to 12 children located in a residence, when an individual has responsibility both for administering the child care program and for planning and implementing the daily activities of a group of children, the educational requirements for lead teacher in Rule .2820 of this Section shall apply. All other teachers shall follow the educational requirements for teachers in this Section.
- (i) For centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum of 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential or its equivalent.

History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3; Eff. May 1, 2006; Amended Eff. August 1, 2012.

**10A NCAC 09 .2820 EDUCATION STANDARDS FOR LEAD TEACHERS FOR A RATED
LICENSE FOR CHILD CARE CENTERS**

(a) This Rule applies to evaluating child care centers with regards to all lead teachers. The points for education standards are determined by applying this Rule along with Rules .2819, .2821, .2822 and .2823 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained under each Rule shall be the point used to meet Rule .2802 of this Section.

(b) To achieve two points, 75 percent of the lead teachers shall:

- (1) Have the North Carolina Early Childhood Credential, its equivalent or a Level I or higher Early Educator Certification on the Early Care and Education Professional Scale (ECE scale); and
- (2) Have completed or enrolled in three semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential coursework).

(c) To achieve three points, all lead teachers shall have the North Carolina Early Childhood Credential, its equivalent or a Level I or higher certification on the ECE scale; and either

- (1) 75 percent of the lead teachers shall have:
 - (A) Completed three semester hours in early childhood education and completed or are enrolled in three additional semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential coursework); or
 - (B) Completed one year full time verifiable early childhood work experience; or
 - (C) A level II or higher certification on the ECE scale; or
 - (D) Any combination of Parts (A) through (C) of this Subparagraph; or
- (2) 50 percent of the lead teachers shall have a Level II or higher certification on the ECE scale.

(d) To achieve four points, all lead teachers shall have the North Carolina Early Childhood Credential, its equivalent, or Level I or higher certification on the ECE scale; and

- (1) Either 75 percent of the lead teachers shall have:
 - (A) Completed six semester hours in early childhood education or child development (not including the North Carolina Early Childhood Credential coursework), and have completed or are enrolled in three additional semester hours in early childhood education; or
 - (B) Completed three semester hours of early childhood education and have three years of full-time verifiable early childhood work experience; or
 - (C) Five years of full-time verifiable early childhood work experience; or
 - (D) Any combination of Parts (A) through (C) of this Subparagraph; or
- (2) 50 percent of the lead teachers shall have a Level III or higher certification on the ECE scale.

(e) To achieve five points, all lead teachers shall have the North Carolina Early Childhood Credential, its equivalent, or have a Level I or higher certification on the ECE scale and 75 percent of the lead teachers shall have:

- (1) Completed nine semester hours in early childhood education or child development (not including the North Carolina Early Childhood Credential coursework), and have completed or are enrolled in three additional semester hours in early childhood education, and have one year of full-time verifiable early childhood work experience; or
- (2) A Level IV or higher certification on the ECE scale and have one year of full-time verifiable early childhood work experience; or
- (3) Any combination of Subparagraphs (1) and (2) of this Paragraph.

(f) To achieve six points, all lead teachers shall have the North Carolina Early Childhood Credential, its equivalent, or a Level I or higher certification on the ECE scale and 50 percent of the lead teachers shall have either:

- (1) An A.A.S degree in early childhood education or child development or an A.A.S degree in any major with 12 semester hours in early childhood education or child development and one year of full-time verifiable early childhood work experience; or
 - (2) Completed 60 semester hours towards a BA/BS degree program with 12 semester hours in early childhood education and one year of full-time verifiable early childhood work experience; or
 - (3) A Level VI certification on the ECE scale and one year of full-time verifiable early childhood work experience; or
 - (4) Any combination of Subparagraphs (1) through (3) of this Paragraph.
- (g) To achieve seven points, all lead teachers shall have the North Carolina Early Childhood Credential, its equivalent, or a Level I or higher certification on the ECE scale and 75 percent of the lead teachers shall have either:
- (1) An A.A.S. degree in early childhood education or child development or an A.A.S. degree in any major with 12 semester hours in early childhood education or child development and two years of full-time verifiable early childhood work experience; or
 - (2) A Level VI certification on the ECE scale and two years of full-time verifiable early childhood work experience; or
 - (3) Any combination of Subparagraphs (1) and (2) of this Paragraph.

*History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;
Eff. August 1, 2012.*

**10A NCAC 09 .2821 EDUCATION STANDARDS FOR TEACHERS FOR A RATED LICENSE
FOR CHILD CARE CENTERS**

(a) This Rule applies to evaluating child care centers with regards to all teachers. The points for education standards are determined by applying this Rule along with Rules .2819, .2820, .2822, and .2823 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained under each Rule shall be the point used to meet Rule .2802 of this Section.

(b) To achieve two points, 50 percent of the teachers counted in staff/child ratios shall:

- (1) Have one year of full time verifiable early childhood work experience; or
- (2) Be enrolled in three semester hours in early childhood education, or child development; or
- (3) Have any combination of Subparagraphs (1) and (2) of this Paragraph.

(c) To achieve three points, 50 percent of the teachers counted in staff/child ratios shall have:

- (1) Three semester hours in early childhood education or child development; or
- (2) Two years of full time verifiable early childhood work experience; or
- (3) Any combination of Subparagraphs (1) and (2) of this Paragraph.

(d) To achieve four points, 50 percent of the teachers counted in staff/child ratios shall have the North Carolina Early Childhood Credential, its equivalent or have a Level I or higher certification on the ECE scale.

(e) To achieve five points, 50 percent of the teachers counted in staff/child ratios shall have either:

- (1) The North Carolina Early Childhood Credential, its equivalent or have a Level I or higher certification on the ECE scale and three semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential coursework); or
- (2) A Level II or higher certification on the ECE scale; or
- (3) Any combination of Subparagraphs (1) and (2) of this Paragraph.

(f) To achieve six points, 50 percent of the teachers counted in staff/child ratios shall have the North Carolina Early Childhood Credential, its equivalent or a Level I or higher certification on the ECE scale and either:

- (1) Three semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential; and one year of full-time verifiable early childhood work experience; or
- (2) A Level II or higher certification on the ECE scale and one year of full-time early childhood work experience; or
- (3) Any combination of Subparagraphs (1) and (2) of this Paragraph.

(g) To achieve seven points, 50 percent of the teachers counted in staff/child ratios shall have the North Carolina Early Childhood Credential, its equivalent or have a Level I or higher certification on the ECE scale and either:

- (1) Six semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential coursework); and two years of full-time verifiable early childhood work experience; or
- (2) A Level III or higher certification on the ECE scale and two years of full-time verifiable early childhood work experience; or
- (3) Any combination of Subparagraphs (1) and (2) of this Paragraph.

*History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;
Eff. August 1, 2012.*

10A NCAC 09 .2822 EDUCATION STANDARDS FOR PROGRAM COORDINATORS FOR A RATED LICENSE FOR CHILD CARE CENTERS

(a) This Rule applies to evaluating child care centers with regards to program coordinators. The points for education standards are determined by applying this Rule along with Rules .2819, .2820, .2821, and .2823 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained under each Rule shall be the point used to meet Rule .2802 of this Section.

(b) To achieve two points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall:

- (1) Be enrolled in three additional semester hours of school-age care related coursework; or
- (2) Have 200 hours of verifiable experience working with school-aged children in a licensed child care program; or
- (3) Have 300 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting.

(c) To achieve three points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:

- (1) Completed three additional semester hours of school-age care related coursework; or
- (2) 300 hours of verifiable experience working with school-aged children in a licensed child care program; or
- (3) 450 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or
- (4) At least a Level I or higher certification on the SA scale.

(d) To achieve four points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:

- (1) Completed three additional semester hours of school-age care related coursework and have either 200 hours of verifiable experience working with school-aged children in a licensed child care program, or 300 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or
- (2) A Level I or higher certification on the SA scale and have either 200 hours of verifiable experience working with school-aged children in a licensed child care program, or 300 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or
- (3) 450 hours of verifiable experience working with school-aged children in a licensed child care program; or
- (4) 600 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting.

(e) To achieve five points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:

- (1) Completed three additional semester hours of school-age care related coursework; and be enrolled in three additional semester hours of school-age care related coursework; or
- (2) 600 hours of verifiable experience working with school-age children in a licensed child care program; or
- (3) 750 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or
- (4) A Level II or higher certification on the SA scale.

(f) To achieve six points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:

- (1) Completed six additional semester hours of school-age care related coursework and either 750 hours of verifiable experience working with school-aged children in a licensed child care program or 900 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or

- (2) A BA/BS degree with three additional semester hours of school-age care related coursework; or
 - (3) A Level IV or higher certification on the SA scale.
- (g) To achieve seven points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:
- (1) Completed six additional semester hours of school-age care related coursework and either 900 hours of verifiable experience working with school-aged children in a licensed child care program or 1350 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or
 - (2) Nine additional semester hours of school-age related coursework and either 600 hours of verifiable experience working with school-aged children in a licensed child care program or 900 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or
 - (3) A BA/BS degree or higher with six additional semester hours of school-age related coursework and either 300 hours of verifiable experience working with school-aged children in a licensed school-age care program; or 450 hours of working with school-aged children in an unlicensed school-age care or camp setting; or
 - (4) A Level IV or higher certification on the SA scale and either 300 hours of verifiable experience working with school-aged children in a licensed school-age care program or 450 hours of working with school-aged children in an unlicensed school-age care or camp setting.
- (h) For centers providing school-age care with 200 or more school-aged children enrolled, there shall be two program coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional program coordinator shall have completed all the applicable staff requirements in Rule .2510(b) of this Chapter.

*History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;
Eff. August 1, 2012.*

10A NCAC 09 .2823 EDUCATION STANDARDS FOR GROUP LEADERS AND ASSISTANT GROUP LEADERS FOR A RATED LICENSE FOR CHILD CARE CENTERS

(a) This Rule applies to evaluating child care centers with regards to group leaders and assistant group leaders. The points for education standards are determined by applying this Rule along with Rules .2819, .2820, 2821, and .2822 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained under each Rule shall be the point used to meet Rule .2802 of this Section.

(b) To achieve two points, all group leaders shall have completed the BSAC training or its equivalent.

(c) To achieve three points, all group leaders shall have completed the BSAC training or its equivalent, and 25 percent of the group leaders shall be enrolled in or have completed two semester hours of school-age care related coursework.

(d) To achieve four points, all assistant group leaders shall be at least 16 years of age and all group leaders shall have completed the BSAC training or its equivalent, and 25 percent of the group leaders shall have either:

- (1) Completed two semester hours of school-age care related coursework; or
- (2) 100 hours of verifiable experience working with school-aged children in a licensed child care program; or
- (3) 150 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or
- (4) Any combination of Subparagraphs (1) through (3) of this Paragraph.

(e) To achieve five points, all group leaders shall have completed the BSAC training or its equivalent, and

- (1) 50 percent of the group leaders shall have either:
 - (A) Completed two semester hours of school-age care related coursework; or
 - (B) 300 hours of verifiable experience working with school-aged children in a licensed child care program; or
 - (C) 450 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or
 - (D) Any combination of Subparagraphs (A) through (C) of this Paragraph; and
- (2) All assistant group leaders shall be at least 16 years of age and shall have either:
 - (A) Completed the BSAC training or its equivalent; or
 - (B) 250 hours of verifiable experience working with school-aged children in a licensed child care program; or
 - (C) 400 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or
 - (D) Any combination of Subparagraphs (A) through (C) of this Paragraph.

(f) To achieve six points, all group leaders shall have completed the BSAC training or its equivalent, and

- (1) 50 percent of group leaders shall have:
 - (A) Completed two semester hours of school-age care related coursework and have completed or be enrolled in two additional semester hours of school-age related coursework; or
 - (B) 600 hours of verifiable experience working with school-aged children in a licensed child care program; or
 - (C) 900 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or
 - (D) Any combination of Subparagraphs (A) through (C) of this Paragraph; and
- (2) All assistant group leaders shall be 17 years of age and shall have either:
 - (A) Completed the BSAC training or its equivalent; or
 - (B) 250 hours of verifiable experience working with school-aged children in a licensed child care program; or

- (C) 400 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or
 - (D) Any combination of Subparagraphs (A) through (C) of this Paragraph.
- (g) To achieve seven points, all assistant group leaders shall be 18 years of age and shall have completed the BSAC training or its equivalent and all group leaders shall have completed the BSAC training or its equivalent, and 75 percent of the group leaders shall have:
- (1) Completed two semester hours of school-age care related coursework and have completed, or are enrolled in two additional semester hours of school-age related coursework; or
 - (2) 600 hours of verifiable experience working with school-aged children in a licensed child care program; or
 - (3) 900 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or
 - (4) Any combination of Subparagraphs (1) through (3) of this Paragraph.

*History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;
Eff. August 1, 2012.*

10A NCAC 09 .2824 EDUCATION STANDARDS FOR A RATED LICENSE FOR ADMINISTRATORS FOR CENTERS THAT PROVIDE CARE ONLY TO SCHOOL-AGED CHILDREN

(a) This Rule applies to evaluating the education standards for administrators for centers that provide care only to school-aged children. The points for education standards are determined by applying this Rule along with Rules .2825 and .2826 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained under each rule shall be the point used to meet Rule .2802 of this Section.

(b) To achieve two points, the administrator shall have:

- (1) A Level I North Carolina Early Childhood Administration Credential or its equivalent or have enrolled in coursework as required in G.S. 110-91(8); and
- (2) 1600 hours of verifiable experience performing administrative duties in a licensed school-aged program.

(c) To achieve three points, the administrator shall have:

- (1) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and
- (2) Either:
 - (A) 300 additional hours of verifiable experience performing administrative duties in a licensed child care program; or
 - (B) 450 additional hours of verifiable experience performing administrative duties in an unlicensed school-aged care or camp setting.

(d) To achieve four points, the administrator shall have:

- (1) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and
- (2) Either:
 - (A) 450 additional hours of verifiable experience performing administrative duties in a licensed child care program; or
 - (B) 600 additional hours of verifiable experience performing administrative duties in an unlicensed school-age care or camp setting.

(e) To achieve five points, the administrator shall have:

- (1) A Level II North Carolina Early Childhood Administration Credential or its equivalent; and
- (2) Either:
 - (A) 600 additional hours of verifiable experience performing administrative duties in a licensed child care program serving school-aged children; or
 - (B) 750 additional hours of verifiable experience performing administrative duties in an unlicensed school-aged care or camp setting.

(f) To achieve six points, the administrator shall have:

- (1) A Level II North Carolina Early Childhood Administration Credential or its equivalent; and
- (2) Either:
 - (A) 750 additional hours of verifiable experience performing administrative duties in a licensed child care program serving school-aged children; or
 - (B) 1150 additional hours of verifiable experience performing administrative duties in an unlicensed school-aged care or camp setting.

(g) To achieve seven points, the administrator shall have:

- (1) A Level III North Carolina Early Childhood Administration Credential or its equivalent; and
- (2) Either:
 - (A) 900 additional hours of verifiable experience performing administrative duties in a licensed child care program serving school-aged children; or

(B) 1350 additional hours of verifiable experience performing administrative duties in an unlicensed school-aged care or camp setting.

(h) As used in this Rule, the definition of the term "experience working with school-aged children" in Rule .2510(h) of this Chapter shall apply.

*History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;
Eff. August 1, 2012.*

**10A NCAC 09 .2825 EDUCATION STANDARDS FOR PROGRAM COORDINATORS FOR A
RATED LICENSE FOR CENTERS THAT PROVIDE CARE ONLY TO
SCHOOL-AGED CHILDREN**

(a) This Rule applies to evaluating the education standards for program coordinators for centers that provide care only to school-aged children. The points for education standards are determined by applying this Rule along with Rules .2824 and .2826 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained under each Rule shall be the point used to meet Rule .2802 of this Section.

(b) To achieve two points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall:

- (1) Be enrolled in three additional semester hours of school-age care related coursework; or
- (2) Have 200 hours of verifiable experience working with school-aged children in a licensed child care program; or
- (3) Have 300 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting.

(c) To achieve three points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:

- (1) Completed three additional semester hours of school-age care related coursework; or
- (2) 300 hours of verifiable experience working with school-aged children in a licensed child care program; or
- (3) 450 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or
- (4) A Level I certification or higher on the SA scale.

(d) To achieve four points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:

- (1) Completed three additional semester hours of school-age care related coursework and 200 hours of verifiable experience working with school-aged children in a licensed child care program; or
- (2) 450 hours of verifiable experience working with school-aged children in a licensed child care program; or
- (3) 600 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or
- (4) A Level I certification or higher on the SA scale, and either:
 - (A) 200 hours of verifiable experience working with school-aged children in a licensed child care program; or
 - (B) 300 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting.

(e) To achieve five points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:

- (1) Completed three additional semester hours of school-age care related coursework and is enrolled in three additional semester hours of school-aged care related coursework; or
- (2) 600 hours of verifiable experience working with school-aged children in a licensed child care program; or
- (3) 750 hours of verifiable experience working with school-aged children in an unlicensed school-aged care or camp setting; or
- (4) A Level II certification or higher on the SA scale.

(f) To achieve six points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:

- (1) 750 hours of verifiable experience working with school-aged children in a licensed child care program; or 900 hours of verifiable experience working with school-aged children in an unlicensed school-aged care or camp setting; and

- (2) Either:
 - (A) Completed six additional semester hours of school-aged care related coursework; or
 - (B) Shall have a BA/BS degree with three additional semester hours of school-aged care related coursework; or
 - (C) Level III certification or higher on the SA scale.
- (g) To achieve seven points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:
 - (1) Completed six additional semester hours of school-aged care related coursework and either:
 - (A) 900 hours of verifiable experience working with school-aged children in a licensed child care program; or
 - (B) 1350 hours of verifiable experience working with school-aged children in an unlicensed school-aged care or camp setting; or
 - (2) Completed nine additional semester hours of school-aged care related coursework and either:
 - (A) 600 hours of verifiable experience working with school-aged children in a licensed child care program; or
 - (B) 900 hours of verifiable experience working with school-aged children in an unlicensed school-aged care or camp setting; or
 - (3) A BA/BS degree or higher with six additional semester hours of school-aged related coursework and either:
 - (A) 300 hours of verifiable experience working with school-aged children in a licensed school-aged care program; or
 - (B) 450 hours of working with school-aged children in an unlicensed school-aged care or camp setting; or
 - (4) A Level IV certification or higher on the SA scale and either:
 - (A) 300 hours of verifiable experience working with school-aged children in a licensed school-aged care program; or
 - (B) 450 hours of working with school-aged children in an unlicensed school-aged care or camp setting.
- (h) As used in this Rule, the definition of the term "experience working with school-aged children" in Rule .2510(h) of this Chapter shall apply.
- (i) For programs with a licensed capacity of 200 or more school-aged children, there shall be two program coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional program coordinator shall have completed the applicable staff requirements in Rule .2510(b) of this Chapter.

History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3; Eff. August 1, 2012.

10A NCAC 09 .2826 EDUCATION STANDARDS FOR GROUP LEADERS AND ASSISTANT GROUP LEADERS FOR A RATED LICENSE FOR CENTERS THAT PROVIDE CARE ONLY TO SCHOOL-AGED CHILDREN

(a) This Rule applies to evaluating the education standards for group leaders and assistant group leaders that work in programs that provide care only to school-aged children. The points for education standards are determined by applying this Rule along with Rules .2824, and .2825 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained under each Rule shall be the point used to meet Rule .2802 of this Section.

(b) To achieve two points, all group leaders shall have completed the BSAC training or its equivalent.

(c) To achieve three points, all group leaders shall have completed the BSAC training or its equivalent, and 25 percent of the individuals designated as group leaders as set out in Rule .2510 of this Chapter shall be enrolled in two semester hours of school-age care related coursework.

(d) To achieve four points:

(1) All group leaders shall have completed the BSAC training or its equivalent, and 25 percent of the individuals designated as group leaders as set out in Rule .2510 of this Chapter shall have:

(A) Completed two semester hours of school-age care related coursework; or

(B) 100 hours of verifiable experience working with school-aged children in a licensed child care program; or

(C) 150 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; and

(2) All assistant group leaders shall be at least 16 years of age.

(e) To achieve five points:

(1) All group leaders shall complete the BSAC training or its equivalent, and 50 percent of the individuals designated as group leaders as set out in Rule .2510 of this Chapter shall have:

(A) 300 hours of verifiable experience working with school-aged children in a licensed child care program; or

(B) 450 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or

(C) Completed two semester hours of school-age care related coursework; and

(2) All assistant group leaders shall be at least 16 years of age and shall have;

(A) 400 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or

(B) Completed the BSAC training or its equivalent; or

(C) 250 hours of verifiable experience working with school-aged children in a licensed child care program.

(f) To achieve six points:

(1) All group leaders shall have completed the BSAC training or its equivalent, and 50 percent of the individuals designated as group leaders as set out in Rule .2510 of this Chapter shall have:

(A) Completed two semester hours of school-aged care related coursework and have completed or are enrolled in two additional semester hours of school-aged related coursework; or

(B) 600 hours of verifiable experience working with school-aged children in a licensed child care program; or

(C) 900 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; and

(2) All assistant group leaders shall be at least 17 years of age and shall have;

(A) Completed the BSAC training or its equivalent; or

- (B) 250 hours of verifiable experience working with school-aged children in a licensed child care program; or
 - (C) 400 hours of verifiable experience working with school-aged children in an unlicensed school-aged care or camp setting.
- (h) To achieve seven points:
 - (1) All group leaders shall have completed the BSAC training or its equivalent, and 75 percent of the individuals designated as group leaders as set out in Rule .2510 of this Chapter shall have:
 - (A) Completed two semester hours of school-aged care related coursework and have completed or are enrolled in two additional semester hours of school-aged related coursework; or
 - (B) 600 hours of verifiable experience working with school-aged children in a licensed child care program; or
 - (C) 900 hours of verifiable experience working with school-aged children in an unlicensed school-aged care or camp setting; and
 - (2) All assistant group leaders shall be at least 18 years of age and shall have completed the BSAC training or its equivalent.
- (j) As used in this Rule, the definition of the term "experience working with school-aged children" in Rule .2510(h) of this Chapter shall apply.

History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3; Eff. August 1, 2012.

**10A NCAC 09 .2827 EDUCATION STANDARDS FOR OPERATORS FOR A RATED
LICENSE FOR FAMILY CHILD CARE HOMES**

- (a) This Rule applies to evaluating family child care homes with regards to the operator.
- (b) To achieve two points, the operator shall have completed:
 - (1) Four semester credit hours in early childhood education or child development (not including the North Carolina Family Child Care Credential coursework); or
 - (2) Five years of verifiable early childhood work experience and eight additional clock hours annually of in-service training.
- (c) To achieve three points, the operator shall have completed the North Carolina Family Child Care Credential, its equivalent or a Level I or higher certification on the ECE scale.
- (d) To achieve four points, the operator shall have completed a Level II or higher certification on the ECE scale; or
 - (1) Have six semester credit hours in early childhood education or child development (not including the North Carolina Family Child Care Credential coursework); and
 - (2) Have the North Carolina Family Child Care Credential, its equivalent, or a Level I or higher certification on the ECE scale.
- (e) To achieve five points, the operator shall have completed a Level IV certification on the ECE scale and have one year verifiable early childhood work experience; or have
 - (1) The North Carolina Family Child Care Credential, its equivalent, or a Level I or higher certification on the ECE scale; and
 - (2) 12 semester credit hours in early childhood education or child development (not including the North Carolina Family Child Care Credential coursework); and
 - (3) Either:
 - (A) Two of 12 semester hours in early childhood education in child care administration; or
 - (B) One year of verifiable early childhood work experience.
- (f) To achieve six points, the operator shall have completed a Level VI certification on the ECE scale and have one year verifiable childhood work experience; or have
 - (1) The North Carolina Family Child Care Credential, its equivalent, or a Level I or higher certification on the ECE scale; and
 - (2) 18 semester credit hours in early childhood education or child development (not including the North Carolina Family Child Care Credential coursework); and
 - (3) Either:
 - (A) Five of the 18 semester hours in early childhood education are in child care administration; or
 - (B) Two years of verifiable early childhood work experience.
- (g) To achieve seven points, the operator shall have completed:
 - (1) An A.A.S. degree in any major with a minimum of 12 semester credit hours in early childhood education/child development coursework and two years of full-time verifiable early childhood work experience; or
 - (2) An A.A.S. in early childhood education/child development and 18 months of full-time verifiable early childhood work experience; or
 - (3) A Level VI certification on the ECE scale and two years of experience.

*History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;
Eff. May 1, 2006;
Amended Eff. August 1, 2012.*

10A NCAC 09 .2828 PROGRAM STANDARDS FOR A RATED LICENSE FOR FAMILY CHILD CARE HOMES

- (a) This Rule applies to evaluating the program standards for a two component rated license for family child care homes.
- (b) To achieve two points for program standards, the operator shall have written operational policies and procedures that include information about meal and snack practices, daily activities, parent involvement, health and safety practices, infection control/ill child exclusion/inclusion, and business practice.
- (c) To achieve three points for program standards, the operator shall:
 - (1) Have written operational policies and procedures that include all information listed in Paragraph (a) of this Rule.
 - (2) Have an average score of 4.0 or higher on the Family Day Care Rating Scale.
- (d) To achieve four points for program standards, the operator shall:
 - (1) Have written operational policies and procedures that include all information listed in Paragraph (a) of this Rule.
 - (2) Have an average score of 4.25 or higher on the Family Day Care Rating Scale.
- (e) To achieve five points for program standards, the operator shall:
 - (1) Have written operational policies and procedures that include all information listed in Paragraph (a) of this Rule.
 - (2) Have an average score of 4.5 or higher on the Family Day Care Rating Scale.
- (f) To achieve six points for program standards, the operator shall:
 - (1) Have written operational policies and procedures that include all information listed in Paragraph (a) of this Rule;
 - (2) Have an average score of 4.75 or higher on the Family Day Care Rating Scale; and
 - (3) Of the five preschoolers allowed to be enrolled, no more than four children shall be under one year of age.
- (g) To achieve seven points for program standards, the operator shall:
 - (1) Have written operational policies and procedures that include all information listed in Paragraph (a) of this Rule;
 - (2) Have an average score of 5.0 or higher on the Family Day Care Rating Scale; and
 - (3) Of the five preschoolers allowed to be enrolled, no more than three children shall be under one year of age.

*History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3;
Eff. May 1, 2006;
Recodified from Rule .2821 Eff. August 1, 2012.*

10A NCAC 09 .2829 QUALITY POINT OPTIONS

Operators may earn one additional quality point as follows:

- (1) Education options:
 - (a) Completion by staff of additional education coursework as follows:
 - (i) 75 percent of infant/toddler teachers have obtained an Infant/Toddler Certificate, or
 - (ii) 75 percent of teachers have completed an A.A.S. or higher in early childhood education/child development, or
 - (iii) 75 percent of lead teachers have completed a BA/BS or higher in early childhood education/child development, or
 - (iv) All lead teachers have completed an A.A.S. or higher in early childhood education/child development, or
 - (v) 75 percent of group leaders have obtained a North Carolina School Age Care Credential or have completed six semester hours in school-age coursework, or
 - (vi) A family child care home provider has obtained an Infant/Toddler Certificate or has a BA/BS or higher in early childhood education/child development.
 - (b) Completion of 20 additional annual in-service training hours for full-time lead teachers and teachers, and staff working part-time shall complete additional hours based on the chart in Rule .0707(c) of this Chapter.
 - (c) Completion of 20 additional annual in-service training hours for family child care home providers.
 - (d) 75 percent of lead teachers and teachers shall have at least 10 years verifiable early childhood work experience.
 - (e) All lead teachers and teachers shall have at least five years verifiable early childhood work experience employed by no more than two different employers.
 - (f) Having a combined turnover rate of 20 percent or less for the administrator, program coordinator, lead teachers, teachers and group leader positions over the last 12 months if the program has earned at least four points in education.
 - (g) In a stand alone school age program, 75 percent of group leaders shall have at least five years verifiable school-age work experience employed in no more than two different school-age settings.
- (2) Programmatic options:
 - (a) Use of age/developmentally appropriate curriculum that addresses five domains of development.
 - (b) Having group sizes decreased by at least one child per age group from the seven point level as described in Rule .2818(c) of this Section.
 - (c) Having staff/child ratios decreased by at least one child per age group from the seven point level as described in Rule .2818(c) of this Section.
 - (d) Meeting at least two of the following three programs standards:
 - (i) Having enhanced policies which include the following topics: emergency evacuation plan, field trip policy, staff development plan, medication administration, enhanced discipline policy, and health rules for attendance.
 - (ii) Having a staff benefits package that offers at least four of the following six benefits: paid leave for professional development, paid planning time, vacation, sick time, retirement or health insurance.
 - (iii) Having evidence of an infrastructure of parent involvement which would include at least two of the following: parent newsletters offered at least

quarterly, parent advisory board, periodic conferences for all children, or parent information meetings offered at least quarterly.

- (e) Completion of a 30 hour or longer business training course by a family child care home provider.
- (f) Completion of a business training course and a wage and hour training by the center administrator that is at least 30 hours total.
- (g) Restricting enrollment to four preschool children in a family child care home.
- (h) Reducing infant capacity by at least one child from the seven point level for a family child care home as described in Rule .2821(g)(3) of this Section.

*History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3;
Eff. May 1, 2006;
Amended Eff. December 1, 2006;
Recodified from Rule .2823 Eff. August 1, 2012.*

10A NCAC 09 .2830 MAINTAINING THE STAR RATING

(a) A representative of the Division may make announced or unannounced visits to facilities to assess on-going compliance with the requirements of a star rating after it has been issued. When the Division representative documents violations with the standards that determine a rating, the representative may take one or more of the following actions:

- (1) Advise the operator to submit written verification that the violation(s) have been corrected.
- (2) Return to the facility for an unannounced visit at a later date to determine if compliance has been achieved.
- (3) Recommend an Environmental Rating Scale assessment be conducted.
- (4) Recommend a complete reassessment of requirements of the star rating issued to the facility.
- (5) Recommend that the star rating be reduced.
- (6) Recommend administrative action in accordance with G.S. 110 and this Subchapter.

(b) If changes occur at a facility which result in the operator not complying with the standards in this Section for the star rating issued, the operator shall correct the noncompliance within 30 days. If the operator does not correct the noncompliance within 30 days, the operator shall notify the Division. Based upon the information obtained, the Division may take any of the actions described in Paragraph (a) of this Rule.

(c) A complete assessment of requirements for a voluntary rated license of two stars or higher shall be conducted at least once every three years. The Division shall provide for one evaluation of program standards using the environment rating scales referenced in Rule .2802(e) free of charge once every three years when reassessing the ratings of operators with three to five points for program standards.

*History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3;
Eff. April 1, 1999;
Recodified from Rule .2809 Eff. May 1, 2006;
Recodified from Rule .2824 Eff. August 1, 2012.*

10A NCAC 09 .2831 HOW AN OPERATOR MAY REQUEST OR APPEAL A CHANGE IN RATING

- (a) An operator may request a change in the star rating by following the procedures in Rule .2802 of this Section.
- (b) After an initial three- through five-star rating is issued, the Division shall provide for one evaluation of program standards using the environment rating scales referenced in Rule .2802(e) of this Section during each three year period thereafter at no cost to the operator. An operator may have extra rating scale assessments as referenced in Rule .2802(e) of this Section performed at his or her own expense in addition to the free one performed by the Division. The additional rating scale assessments shall be completed by individuals approved by the Division to perform them. Approval shall be based upon the individual's successful completion of training designated or authorized by the authors of the environment rating scales.
- (c) An operator may appeal the reduction of a star rating as provided in G.S. 110-94.

*History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3;
Recodified from Rule .2810 Eff. May 1, 2006;
Amended Eff. May 1, 2006;
Recodified from Rule .2825 Eff. August 1, 2012.*

10A NCAC 09 .2904 PROGRAM REQUIREMENTS

(a) Children shall participate in daily activities outlined in a plan of care such as an Individualized Family Service Plan (IFSP), Individualized Education Program (IEP), Person Centered Plan (PCP), or for children who are typically developing, an activity plan developed by the center. Activities shall allow children to participate in whole group, as part of a group, or independently.

(b) In addition to the restrictions specified in 10A NCAC 09 .0713 regarding ages and grouping of children, preschool children aged three and older shall not be grouped with school aged children except for special events or activities such as birthday, holiday, or cultural celebrations and special presentations such as puppet or magic shows, a special story teller, or a discussion of safety practices by a fireman or nurse. Children aged birth to five years may be cared for in groups with older children for the first and last operating hour of the day provided the staff/child ratio for the youngest child in the group is maintained.

(c) In addition to operational policies required by 10A NCAC 09 .2805(a), Developmental Day Center policies shall also include a description of the ways that children with special needs have opportunities for inclusion with children who are typically developing.

*History Note: Authority G.S. 110-85; 110-88(14);
Eff. July 1, 2010;
Amended Eff. July 1, 2012.*